

Minutes

Otay Ranch POM Preserve Management Team Meeting
Chula Vista Public Works Building, 1800 Maxwell Road, City of Chula Vista
2:00 – 4:00 p.m., August 10, 2007

Approved by POM PMT on 09/11/07
Motion to approve by County of San Diego/CHANDRA WALLAR
Motion Seconded by City of Chula Vista/SCOTT TULLOCH
Motion carried.

Attendees:

Chula Vista

Scott Tulloch, Assistant City Manager
Marisa Lundstedt, Principal Planner
Leah Browder, Deputy Director of Engineering
Boushra Salem, Senior Civil Engineer
Amy Partosan, Administrative Analyst II
Tessa Quicho, Administrative Analyst II

County of San Diego

Chandra Wallar, Deputy Chief Administrative Officer, Land Use & Env. Group
Renée Bahl, Director Department of Parks and Recreation
Maeve Hanley, Group Program Manager
Casey Trumbo, Environmental Planner
Dahvia Lynch, Group Program Manager

Public:

Barbara Metz, Otay Ranch Company
Bruce April, Caltrans
Jacqueline Dompe, EDAW (Caltrans consultant)
Tom Tomlinson, McMillin
Ranie Hunter, Otay Ranch Company
Rob Cameron, Otay Ranch Company
Victoria Touchstone, USFWS/Refuges
Cara McGary, USFWS
Amber Himes, CDFG

1. Call To Order

Meeting called to order at 2:02.m.by County of San Diego/CHANDRA WALLAR.

2. Approval of Meeting Minutes

City of Chula Vista/SCOTT TULLOCH motioned to approve the meeting minutes.
Motion seconded by WALLAR. Motion carried.

3. General Plan Amendment – Elimination of Conveyance Plan (Lynch)

The County of San Diego and the City of Chula Vista adopted a plan for the orderly conveyance of land to the Preserve. This “conveyance plan” was adopted by the County of San Diego in 1996 and amended in 2002.

The County of San Diego is processing a General Plan Amendment to eliminate the conveyance plan. This will provide greater flexibility in determining the sequence of the preserve lands conveyed. The conveyance plan elimination will be recommended for approval by staff at the Planning Commission to be held on October 5th. The Preserve Owner Manager Policy Committee will also hear this item later that same day on October 5 and no timing conflict is anticipated. The project will be heard by the Board of Supervisors on October 24. There will be a 45-day public review period. City of Chula Vista staff and interested parties in the POM will receive copies of these notices.

There were no questions on this item.

4. Irrevocable Offer of Dedication Status (Lynch, Lundstedt & Trumbo)

County of San Diego/CASEY TRUMBO reported that there is no change in status of the IODs except for the 266 acres for which the County has received the Title report and Phase I analysis. An IOD Checklist has been developed and completed for each IOD and was presented in a binder for members of the PMT.

TRUMBO stated that the County and City differ on timing of acceptance of IODs. The County believes that acceptance should occur prior to or at the same time of issuance of a Final Map.

City of Chula Vista/MARISA LUNDSTEDT stated that since 1999 the City has been processing Final Maps without acceptance of the IODs. Acknowledgement of the IODs is acceptable to satisfy dedication ratio. Fund Balance in CFD is just gaining momentum and there is a need to be flexible to inspect the land and review the documents. It is appropriate to get lands in quickly. Agree with County on timing issue, but there is no flexibility in the process. Acknowledgement of the IODs is still acceptable to the City.

WALLAR stated that there is an issue in that once a final Map records the impetus to move forward is not as critical but agree that there should be some flexibility. How would that be achieved?

LUNDSTEDT stated that we have developed the checklist. Developers are to submit appropriate documents. We should grandfather in Village 2 IOD lands as Final Map due to be approved in September. Propose to use the checklist but have POM discretion built into the process.

County of San Diego/RENÉE BAHLE stated that the checklist is just that, and does not set policy. Quoted RMP 2, section II B 3, which states:

“The applicant shall convey in fee title, or upon the consent of the POM and any lien holder an easement restricting use of the land to those permitted by each RMP, to the POM upon recordation of each final map for an amount of land equal to the final map’s obligation to convey land to the resource Preserve.” [emphasis added]

If the RMP is not to be followed then it should be amended.

LUNDSTEDT responded that they have not been processing maps in that manner for nine years.

WALLAR directed staff to allow acknowledgement for Village 2 but that a line must be drawn in the sand and that the POM should comply with the RMP in the future.

TULLOCH agreed with Ms. Wallar’s proposal but stated that circumstances could change and, therefore, suggest recommending to Policy Committee to build in some flexibility to the RMP policy.

WALLAR asked if the decision-approval authority should lie with the Policy Committee or Preserve Management Team level.

TULLOCH responded that if there is staff consensus then the decision should lie with the PMT, not the PC.

WALLAR asked staff to provide language to allow the PMT to make such a decision. In the interim, it should be recognized that some parties are in a difficult situation as they are not in accordance with the rules.

TULLOCH responded that past-practices are acceptable.

LUNDSTEDT asked if staff is being directed to formally proceed with amendment to RMP.

TULLOCH confirmed, and directed staff to develop language to amend the RMP that would give approval authority and flexibility to the PMT to allow projects to proceed without having IODs accepted prior to recordation of a Final map.

WALLAR added that those development projects already in process would continue to be treated in the current method.

Otay Ranch Company/ROB CAMERON stated that the County already previously acted to address this and the language in the RMP provides for flexibility in allowing an easement to also be acceptable form of conveyance.

WALLAR stated that POM staff will research.

WALLAR stated it would be beneficial for Mr. Tulloch to hear a briefing on each of the IODs since he was new to the PMT.

a. Pending (12 – 1,058.09 acres)

i. Otay Project LP/Otay Ranch Company (7 – 857.18 acres)

1. Wolf Canyon (30.06 acres) – IOD Vacation

County of San Diego/DAHVIA LYNCH reported that there is a meeting scheduled next week to discuss the proposed IOD vacation and subsequent replacement with the applicant. The project appears to be feasible at this time and is moving forward. The County's DPLU regulatory staff will continue to work with the applicant to prepare the needed findings for our Board of Supervisors.

2. Proctor Valley Segment (772.90 acres)

a. Village 13 Update

LYNCH reported that County staff completed the first review of the EIR this week. A formal comment letter on their last submittal should go out within the next two weeks. County anticipates allowing several months for the applicant to develop any technical studies or revisions to the project in order to address staff's comments prior to our next review. Staff will provide information to Chula Vista and coordinate a meeting including the project manager to provide an overview to Chula Vista on this project.

TRUMBO reported that County staff will not be processing any IODs in association with this project until the final project design is known except for the 266 acres.

TULLOCH asked for a timeline of the processing of Village 13.

LYNCH reported that the timeline is not formalized but expected to be completed in 2008. The first review of the EIR is complete and the comment letter is being sent to the applicant within weeks.

3. 1999 Board Action (266.36 acres)

TRUMBO reported that the Title reports and Phase 1 Site Assessments have been received and are being processed.

ii. Brookfield-Shea

1. 3 – 148.87 acres

TRUMBO reported that this IOD has been accepted by the County but not by the City. POM staff needs the phase I and Title Report to process completely.

b. Village 2, 3, 4 (por) Conveyance

TRUMBO stated that 258.3 acres offered for Village 2. Village 3 & portion of 4 not yet final maps, therefore, no IODs offered at this stage. County of San Diego staff requested a map of these areas from the applicant.

5. Financing (Lundstedt & Trumbo)

TRUMBO referred PMT to spreadsheet in handouts and explained how the financial spreadsheet was formulated including columns related to estimated number of taxable parcels, predicted revenue, total fund balance, predicted expenditure, and banking monies every three years to conduct surveys, etc.

TULLOCH stated that it appears as if Survey Expenditure and Survey reserve Fund balance are extracted twice.

WALLAR stated that survey funds are being extracted this fiscal year, but future years are different.

TULLOCH stated that in FY2010-2011 it appears that funds are taken out and added back in.

BAHL stated that numbers beyond FY2007-2008 are rough numbers and will be refined.

City of Chula Vista/LEAH BROWDER stated that the City Council approved the levy amounts on July 24 of this year. The main goal is trying to keep the levy consistent and preparing for years ahead. Purporting to avoid tax rate swings from \$45 one year to \$3 the next.

Moved to Item 6 but returned to this item...

TULLOCH referred to the spreadsheet and queried the increase in the number of taxable parcels/homes but the land management costs were not increasing accordingly.

TRUMBO responded that the numbers need to be updated for future years.

WALLAR stated that POM staff will prepare rough estimates of land management costs for the next meeting.

LUNDSTEDT stated that compiling the budget for FY2007-2008 was staffs' focus. She fully anticipated returning to future meeting with revisions to this budget.

BAHL stated that Chula Vista Engineering Department did a good job. The information was accurate, quick, and easy to understand.

6. Land Management (Duke & Trumbo)

a. Status of Long Term Implementation Plan

TRUMBO reported that this is due Fall 2007. BAHL said this was a priority project for County staff.

b. POM managed

TRUMBO reported POM staff has chosen Dudek as their environmental consultant to perform surveys on salt Creek and San Ysidro parcels. Staff is finalizing the scope of work and hope to enter into a contract soon.

TRUMBO also reported that operational staff is providing costs and specifications to move forward with required fencing and access control in certain areas.

c. Privately managed (prior to conveyance)

TRUMBO reported that POM staff requested materials this week and will update PMT at the next meeting.

Returned to Item 6 for continued discussion...

7. Management of non-Otay Ranch Preserve Lands (Lundstedt)

TRUMBO described the checklist and memo and stated that the County and the City have different drafts and have not reached agreement on this item. The POM has been approached by both McMillin and Caltrans to manage mitigation lands within the Preserve boundary under the POM structure.

WALLAR stated that according to the JPA, the POM does not have the requirement to manage non-Otay Ranch lands.

LUNDSTEDT stated that the City does not disagree with that statement, however the Preserve was envisioned as having one owner, and the Baldwin bankruptcy was unforeseen. Several developers have bought mitigation land for private development projects, for example, CTV, but the City believes that the POM should entertain the notion of managing these non-Otay ranch lands as a potential benefit. Multiple lands managers could be unwieldy and not best for the resources we have to protect.

POM staff was directed to develop criteria and City staff took this task at hand and has developed 6-7 criteria that will potentially lead to cohesive management. These criteria are in draft form and have not been finalized. Staff would require a PAR to estimate land management costs, and the budget must be deemed acceptable. There would also need to be adequate access, and in or adjacent to existing lands. Staff would also have to weigh whether or not the POM would take over management of such lands if the POM had to implement conditions that are over-and-above Otay Ranch conditions of approval and mitigation obligations.

County of San Diego/Wallar stated that this is a policy decision that lies with the POM's Policy Committee.

TULLOCH stated that we should provide the Policy Committee with a more comprehensive product such as a list of pros and cons. The fundamental first question is whether the POM should manage non-Otay ranch mitigation lands. The second question is the mechanics of such a procedure. Suggest meeting on this topic prior to the next PC meeting.

WALLAR agreed to meet separately on this issue prior to scheduled PC meeting. There are positives and concerns surrounding this topic. Staff directed to schedule special meeting after Labor Day. Staff directed to use City's criteria as starting point, as well as developing pro and cons for managing non-Otay Ranch mitigation lands under POM structure.

Caltrans/BRUCE APRIL stated he provided a list of pros at the last meeting.

CDFG/AMBER HIMES stated that CDFG have been talking about this topic for months and that there are many projects in this area. There are many pros for one entity managing these lands. POM Preserve was intended to manage these lands.

TULLOCH stated that the next meeting will be another opportunity to state these views.

APRIL stated that he will present his item again.

HIMES stated that she will also restate CDFG opinion at that meeting.

8. Projects within the Preserve (Trumbo & Lundstedt)

LUNDSTEDT stated that the CORR race occurred once in summer, and again in September. City will be providing a summary letter report of how conditions of approval were met, and will be distributed to City Council, Otay Valley Regional Park staff, and POM staff. It should be released within two weeks. Minor changes to conditions of September's races included fire access for smoother operations. CORR staff was very cooperative.

WALLAR asked if information will include how issues were addressed.

LUNDSTEDT responded that such information will be included.

WALLAR stated that there was concern over the natural resources.

LUNDSTEDT fencing was not erected in all the exact areas specified and that there would be more signage.

WALLAR stated that staff would like to see a draft of this letter report as soon as possible.

LUNDSTEDT stated that CORR would be submitting an application for a permanent facility on Monday August 13th. It would require a Conditional Use Permit from the City.

9. Irrevocable Offer of Dedication Language (Trumbo & Lundstedt)

TRUMBO stated that no agreement was reached on IOD language relating to future infrastructure and therefore it will not be included at this time. County staff would be open to discuss such language if the City would like to pursue in the future.

Otay Ranch Company/CAMERON Company have their map ready to go out but feared staff disagreement could potentially delay their processing. Request that POM staff remember assurance that was given by PC.

City of Chula Vista/BOUSHRA SALEM stated that there are minor corrections to the meets & bounds that will be sent to Hunsaker.

TRUMBO stated that it will be reviewed next week with Real Estate Services.

10. Proposed Policy Committee Agenda (Trumbo & Lundstedt)

TRUMBO directed members to Draft PC Agenda, similar to today's agenda. No questions or discussion on this item.

11. Management by US Fish and Wildlife Refuge

TRUMBO stated that at the last PMT meeting staff received approval to meet with USFWS staff to discuss this issue. This meeting has not yet been scheduled. CDFG will also be invited.

BAHL stated that other items are a higher priority and have directed County staff as such. The meeting with USFWS will likely take place this fall and assuming that it will involve more than one meeting.

12. Meeting Schedule (Trumbo)

- a. POM Staff - As Needed
- b. Preserve Management Team - Quarterly
- c. Policy Committee - Biannually

TRUMBO stated that staff would like regularly scheduled meeting.

WALLAR and TULLOCH agreed with staffs' recommendation and directed staff to coordinate meetings on regularly scheduled basis.

13. Next Steps

No items.

14. Public Comment

There was no public comment.

15. Adjournment

Meeting adjourned at 2:52 p.m.